

### Remarks

Claims 1-34 are currently pending and stand rejected. Claims 32 and 33 are objected to. Claims 1, 6, 13, 22, and 31-34 have been amended. Applicant asserts that the claims are now in condition for allowance as set forth more fully below.

### Telephone Conference Summary

The undersigned participated in a telephone conference with the Examiner on August 12, 2004. During the telephone conference, proposed amendments to the claims were discussed including changing the recitation of vehicle type to vehicle make and model as disclosed in the specification. Furthermore, deficiencies in the Paul reference were discussed relative to proposed amendments. Namely, it was discussed how Paul fails to identify the vehicle that the request is coming from by make and model. It was also discussed that golf carts are not generally identifiable, and not readily recognized, by make and model when viewed by a clubhouse employee when delivering an order.

### Objections

The Office Action has objected to claims 32 and 33 for depending from the same base claim and being identical. Claim 32 has been amended to change its dependence to independent claim 6. Applicant asserts that the amendment overcomes the objection.

### 112 Rejections

The Office Action has rejected claims 1-34 for failing to particularly point out and distinctly claim the invention. Specifically because claims 1, 6, 13, and 22 recited that “the order comprises information associated with a type of vehicle from which the order is transmitted,” these claims were deemed indefinite due to the vehicle type being unclear because it is alleged that the disclosure does not disclose different types of vehicles. Further, claims 31-34 recited “the second signal sent by the receiver” which allegedly lacks antecedent basis.

Claims 1, 6, 13, and 22 have been amended to replace the vehicle type recitation with vehicle make and model. This amendment is supported at page 14 of the specification where, for example, the business has a processor that has information that

associates a particular transmitter to a make and model of vehicle. This allows the employee to identify which vehicle an order should be delivered to by recognizing that the vehicle matches the make and model from which the order is placed. Therefore, Applicant asserts that these amendments overcome the rejection of claims 1-34 based on the vehicle type recitation.

Claims 31-34 have also been amended to address the antecedent basis issue with the second signal by replacing this language with a menu signal sent by the receiver prior to receiving the signal from the transmitter. Applicant asserts that this language has antecedent basis when considered in conjunction with the respective base claim. Therefore, Applicant asserts that these amendments overcome the rejection of claims 31-34 based on the lack of antecedent basis.

#### 102 Rejections

Claims 1-34 stand rejected under 35 USC 102(b) as being anticipated by Paul (US Pat 5,525,081). Applicants respectfully traverse these rejections.

#### Claims 1-5 and 31

The Office Action has rejected claim 1 by stating that Paul teaches all of the elements. The Office Action states that the cart mounted units with broadcast capability allow additional features, that refreshments can be ordered in advance, and that identifying codes, translating signals, and accounts are inherent features of the system. Further, the Office Action states that the computer system can transmit signals and is therefore capable of transmitting a reply to the transmitter to report a status of the order.

Amended claim 1 recites, among other things, that the order comprises information associated by the receiver with a make and model of vehicle from which the order is transmitted. Claim 1 further recites that an employee of the business delivers the order to the vehicle by recognizing that the vehicle matches the make and model of the vehicle from which the order was placed.

Paul is concerned with handling orders from golf carts on a golf course. Paul does not appear to teach that the order includes information that is associated with a make and model of a golf cart, or make and model of any other vehicle. Paul does not address

whether the clubhouse employee even delivers the order to the ordering party, as it is just as likely that the ordering party enters the clubhouse to pick up the order. Additionally, golf carts, as opposed to regular passenger vehicles, are not readily recognizable by make and model. Furthermore, most if not all golf carts of a particular golf course are the identical make and model so that identifying the make and model of the golf cart for an order would not assist the clubhouse employee in delivering the order to the correct cart. Therefore, claim 1 is allowable over Paul for at least these reasons.

Dependent claims 2-5 and 31 depend from an allowable claim 1 and are also allowable for at least the same reasons. Furthermore, one or more of claims 2-5 and 31 recite additional features that are patentable over Paul. For example, claim 31 recites that a menu signal that is sent by the receiver prior to receiving the order includes a menu of products, and it does not appear that Paul discloses sending a signal including a menu of products from the clubhouse computer to the golf carts.

#### Claims 6-30 and 32-34

The Office Action has also rejected independent claims 6, 13, and 22 by stating that Paul teaches all of the elements. Amended claims 6, 13, and 22 recite similar limitations to claim 1, including that the order comprises information associated by the receiver with a make and model of vehicle from which the order is transmitted, and that the order is delivered to the vehicle by an employee recognizing that the vehicle matches the make and model of vehicle from which the order was placed. Accordingly, independent claims 6, 13, and 22 are allowable for at least the same reasons as claim 1.

Dependent claims 7-12, 14-21, 23-30, and 32-34 are allowable at least because they depend from an allowable independent base claim.

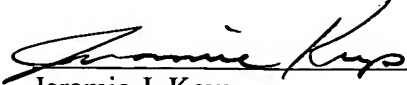
#### Conclusion

Applicants assert that the application including claims 1-34 is now in condition for allowance. Applicants request reconsideration after final in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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